

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Council of Lexington County will conduct a Public Hearing on March 14, 2023 at 5:30P.M. (or as soon thereafter as can be heard) in the Dorothy K. Black Chambers located on the Second Floor of the County Administration Building, 212 South Lake Drive, Lexington, South Carolina. The purpose of the Public Hearing is to receive public comments on ORDINANCE NO. 23-04 – “AN ORDINANCE AMENDING THE COUNTY OF LEXINGTON ZONING ORDINANCE TO INCLUDE UPDATES SPECIFIC TO RESIDENTIAL DETACHED AND ACCESSORIES THERETO, RETIREMENT / ASSISTED LIVING FACILITIES, MINING OPERATIONS, PARKING LOT CONNECTIVITY, EXTREMELY HAZARDOUS MATERIALS, NEIGHBORHOOD APPEARANCE DISTRICT, AND ADVERTISING SIGNS.”

In addition, the Public Hearing will be held electronically in a virtual environment. Those wishing to provide written public comments may do so by visiting the Lexington County Council section of the Lexington County website address of www.lex-co.com. Anyone who wishes to submit comments will need to save the form to your device and email the form to countycouncil@lex-co.com. Additionally, comments may be emailed to countycouncil@lex-co.com or mailed to the Clerk of County Council at 212 South Lake Drive, Lexington, SC 29072. All comments should be submitted by 2:00 p.m. on Monday, March 13, 2023. All public comments will be included in the minutes of the County Council meeting. The Public Hearing will be livestreamed on the County’s website by visiting the [Meeting Portal](#). The Public Hearing is also available on Spectrum Cable Channel 1302.

A copy of the Ordinance is available for review at the County from the Clerk of Lexington County Council at 803-785-8103 or by email at BShumpert@lex-co.com. A copy of the Ordinance can also be viewed on the Lexington County Website (www.lex-co.com) under County Council and will be available for viewing the Friday before the Public Hearing.

If special accommodations are needed to participate in the Public Hearing, contact the Lexington County Council office at 803-785-8103 or BShumpert@Lex-co.com.

Beth A. Carrigg
Chairwoman
Lexington County Council

ORDINANCE 23-04

**AN ORDINANCE AMENDING THE COUNTY OF LEXINGTON
ZONING ORDINANCE **TO INCLUDE UPDATES SPECIFIC TO
RESIDENTIAL DETACHED AND ACCESSORIES THERETO,
RETIREMENT/ASSISTED LIVING FACILITIES, MINING
OPERATIONS, PARKING LOT CONNECIVITY, EXTREMELY
HAZARDOUS MATERIALS, NEIGHBORHOOD APPEARANCE
DISTRICT, AND ADVERTISING SIGNS.****



WHEREAS, County Council finds that certain amendments need to be made to the County of Lexington Zoning Ordinance; and

NOW, THEREFORE, Be it ordained by County Council in its meeting duly assembled that the County of Lexington Zoning Ordinance is amended as follows:

ARTICLE 2 – APPLICATION OF REGULATIONS

Chapter 1. Schedule of Permitted Uses

21.10 Description of Principal Activities

Mining includes the extraction or removal of minerals for sale, processing, or consumption even if the mining activity is not required to obtain a mining permit from the South Carolina Department of Health and Environmental Control (SCDHEC). It does not include grading, backfilling, plowing, or excavating areas for agriculture or on-site construction, nor does it include exploratory mining as defined by the SCDHEC. Borrow pits owned, operated, and/or managed by the South Carolina Department of Transportation (SCDOT) or the County of Lexington exclusively for road or infrastructure construction do not constitute a mining activity by this Ordinance; however, the extraction or removal of minerals from such borrow pits for the purposes not directly associated with SCDOT or County roadway project, will require the use to meet all applicable requirements for mining operations.

Mining (Limited) includes all mining operations where the mining area does not exceed 5 acres. This activity category does not permit on-site mineral processing, including but not limited to, milling, crushing, screening, washing, flotation, or refining. This activity category does not include chemical leaching of minerals, hard rock quarrying, or blasting.

Mining (Intermediate) includes all mining operations where the mining area does not exceed 25 acres. This category ~~permits~~ **does not include the** on-site mineral processing, chemical leaching of minerals, hard rock quarrying, or blasting, ~~provided that the blasting or chemical leaching of minerals meets the buffering restrictions of the Mining (Extensive) category.~~

Mining (Extensive) includes all other mining activities not included within the definition of Mining (Limited) or Mining (Intermediate), **to include all mining activities that have on-site mineral processing, utilize chemical leaching of minerals, utilize hard rocky quarrying, and/or blasting, regardless of acreage.** ~~This activity category permits on-site mineral processing, chemical leaching, and blasting.~~

Residential Detached are single dwelling units (DUs) in a single structure which are surrounded by yards or other open area. ~~In the event a single camper, recreational vehicle, or similar-type vehicle is to be utilized as a residential use, the applicable provisions of Residential Detached land use activities shall apply to include density and setbacks. Such vehicles shall have proper registration/licensing and conform to the Neighborhood Appearance District standards for vehicle parking and storage. (See “Transient Habitation” for additional provisions).~~

Retirement Centers/Assisted Living Facilities include those ~~long and/or short-term care complexes offering any combination of housing assisted living, memory care, medical/nursing care, and/or preventative care, with the ability to provide independent housing options. Independent housing may account for no more than 60 percent of the aggregate beds in all care categories located within a complex. with the following accessory activities allowed on site as long as they are for the residents only:~~ **This land use activity may supply additional support services for patients/residents/tenants such as but not limited to, light retail/personal services, food services, transportation services, wellness services, and/or medical services to include licensed nursing care.** Activities may take place under one roof or in separate buildings. (See also “Nursing Homes.”)

Salvage/Wrecking Yards and Scrap Operations activities include the dismantling or wrecking of used automobiles, vehicles, crafts and trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles/crafts or their parts and/or the storage, processing, and/or sale of used or waste material or other items except when such activities are incidental to a manufacturing operation. The presence on any lot or parcel of land of two or more motor vehicles/crafts or bulk of two or more vehicles/crafts, which, for a period exceeding 90 days, have not been capable of operating under their own power, are not properly registered/licensed, and/or from which parts have been or are to be removed for reuse or sale, shall constitute prima-facie evidence of a salvage/wrecking yard. This activity shall include facilities storing wrecked vehicles/crafts and/or vehicles/crafts that have been deemed a total loss for a period exceeding 90 days. This activity does not include the recycling of recovered materials, such as construction, demolition, and/or land-clearing or yard debris for recycling. Such recycling operations shall be regulated as landfills in accordance with the provisions of Article 9. This activity must also comply with applicable provisions of the Lexington County Solid Waste Ordinance and may be subject to SCDHEC regulations.

Salvage/Wrecking Yards and Scrap Operations (Limited) include activities that are 2 acres or less in area.

Salvage/Wrecking Yards and Scrap Operations (Limited ~~Extensive~~) include activities that are greater than 2 acres in area.

Transient Habitation activities include lodging services to transient guests, such as camper parks, motels, hotels, etc., and include restaurants and certain attendant recreational activities as accessory thereto. The presence of 2 or more campers, recreational vehicles, or other similar vehicle or craft manufactured for habitation, ~~or the use of such vehicles or craft for the purposes of short or long term rentals that is intended and/or used for long or short term habitation~~ shall be considered Transient Habitation.

21.20 Accessory Activities

Each principal activity above shall be deemed to include activities customarily associated with and appropriate, incidental, and subordinate to the principal activity when located on the same lot and when meeting the further conditions set forth in Sections 21.21 and 21.22 below. Such accessory activities shall be controlled in the same manner as its associated principal activity except as otherwise provided in this Ordinance.

21.21 Partial List of Accessory Activities

Such accessory activities include, but are not limited to, the activities indicated below:

- o. The temporary use of a single camper, recreational vehicle, or similar-type vehicle as a temporary residence ~~in conjunction with a primary residential use~~, is an allowed accessory, provided the location complies with applicable density requirements, buffering restrictions of the principal activity, ~~and Section 21.21 l and m of this Ordinance, Article 5 of this Ordinance, and the temporary residential use does not exceed a total aggregate time period of one (1) year.~~

~~In the event the temporary use is in conjunction with the construction of a primary residence or is necessary due to a total/partial loss of the existing primary residence, the allowed timeframe shall be consistent with the validity of the associated building permit, not to exceed 30 days following the final inspection or expiration of the building permit, whichever occurs first. The temporary use for a camper, recreational vehicle, or similar-type vehicle under this circumstance is exempt from the density requirements.~~

22.10 Driveway and Street Restrictions

22.14 Parking Lot Connectivity

~~Where possible, Adjoining parking lots are shall to be designed in a manner to allow them to be connected for vehicular traffic, where feasible and practical. The design may be such that if the connection does not occur, that portion of the parking lot could be used for parking or other purposes either later or in the interim.~~ Stub out driveways/cross access points are required between adjacent parcels/lots with traditional commercial and/or mixed-used land use activities to facilitate future connectivity. SCDOT, Lexington County Public Works, and/or Fire Code requirements related to connectivity shall also apply.

Land use activities that may have various security related measures and/or characteristics of the property or properties in question (ex. topography) shall be taken into consideration when determining feasibility and practicality of parking lot connectivity. In all instances, the applicant must provide supporting documentation for staff to consider in these circumstances. Parking lot connectivity shall also comply with applicable provisions of the Lexington County Subdivision Ordinance and Lexington County Land Development Manual.

Chapter 5. Signs

26.67 South Carolina Code of Laws

The sign regulations contained in this Ordinance are supplemented by the requirements of the State of South Carolina Department of Transportation which regulates off-premise advertising signs on interstate and federal aid road systems. A permit from the State of South Carolina may contain some restrictions which are in addition to the requirements of this Ordinance. Issuance of a Lexington County Zoning Permit does not imply approval of, or constitute a privilege to violate, any other applicable state or local ordinances, codes, laws, or private restrictive covenants.

In the event an existing advertising sign must be removed due to roadway projects and/or right-of-way acquisition, affected advertising signs may be relocated within 500 feet of the current site, per State Statute 57-25-190 (E) as amended. Applicants shall provide documentation of the necessity to relocate, along with information relating to the new location, size, and measurements.

ARTICLE 3 – EXTREMELY HAZARDOUS MATERIALS

Chapter 2. Regulations

32.10 ~~Special Exception Review~~ Operational Requirements

32.11 A request for a permit for hazardous materials handling activities will require ~~additional submittals for review. special exception approval from the Board of Zoning Appeals.~~ The basis for such approval is a demonstration by the hazardous material handler that the owner/operator can operate in a responsive and responsible manner that is protective of the natural environment and the lives therein. ~~Special exception approval may be given upon a finding by the Board that the hazardous material handler can meet the following criteria~~ **The following items must be provided and/or demonstrated for the Zoning Administrator to consider approval of a land use meeting the description contained within this Article:**

- a. As demonstration of responsible hazardous material handling, a hazardous material inventory and management plan will be in place for the duration of the hazardous material use, to include the handling, storage and/or manufacture of the substance(s);
- b. The surrounding properties can be reasonably protected from the flammable, explosive, toxic, corrosive or other potentially damaging characteristic(s) of the hazardous material(s) through appropriate buffering restrictions;
- c. For the protection of the surrounding environment and the lives therein, a safety and emergency response plan will be operational during the life of the activity;
- d. As evidence of responsible business practice, the hazardous material handler has reasonable liability insurance coverage, based on the typical insurance coverage of a hazardous material handler with similar risk; ~~and~~
- e. Demonstration that the individuals who will be responsible for the operational decision making at the local site, to include plant design and daily operations, can be reasonably expected to design or operate the hazardous materials handling activity with a low risk of endangerment to the surrounding environment or the lives therein.
- f. A copy of all hazardous materials inventory statements and hazardous materials management plans and/or other chemical inventory forms, plans, etc. as required by the South Carolina Emergency Management Division (SCEMD), South Carolina Department of Health and**

Environmental Control (SCDHEC), Lexington County Emergency Services, and/or the International Fire Code (IFC);

- g. Detailed site plan of the hazardous materials handling activity showing all of the property on which it is to be located and the relationship with all surrounding property. This plan must show the buffering restrictions being proposed to insure that the activity is totally compatible with the surrounding area;
- h. Detailed safety and emergency response plan including those elements required by the Title III: Emergency Planning and Community Right-to-Know Act of the Superfund Amendments and Reauthorization Act of 1986 (SARA);
- i. Evidence of liability insurance coverage that would reasonably be expected of the hazardous material handling activity, based on the typical insurance coverage of a hazardous materials handler with similar risk;
- j. Names of any owners, investors, employees, or subcontractors who will be responsible for operational decision making for a Lexington County hazardous material activity site, to include plant design and daily operations, who have been convicted of a criminal violation regarding the handling of hazardous materials or have demonstrated a pattern of negligence in the handling of hazardous materials;
- k. For the purpose of providing independent additional and/or clarification of information to the Zoning Administrator regarding the desired hazardous material handling activity, the applicant may submit names of recognized independent experts or any additional information the applicant deems necessary to support his application;
- l. The County shall have the option of having its own independent expert review the materials submitted by the applicant and offer an opinion as to the adequacy of the materials to the Zoning Administrator;
- m. All hazardous materials handling activities are required to comply with all of the applicable sections of the International Fire Code (IFC);
- n. All hazardous materials handling activities are required to comply with all of the applicable sections of Title III: Emergency Planning and Community Right-to-Know Act of the Superfund Amendments and Reauthorization Act of 1986 (SARA);
- o. Hazardous materials handling activities are not allowed to operate without annual proof of liability insurance coverage; and,
- p. All required permitting through the United States Environmental Protection Agency (EPA) and/or SCDHEC shall be obtained prior to Zoning approval, and such approvals must be provided to the Zoning Administrator. The required EPA and/or DHEC permits or approvals must be maintained in good standing.

32.12 ~~For the Board to rule on a hazardous materials handling special exception request based on these criteria, the following information must be submitted for consideration with the application:~~

- ~~a. A copy of all hazardous materials inventory statements and hazardous materials management plans and/or other chemical inventory forms, plans, etc. as required by the South Carolina Emergency Management Division (SCEMD), South Carolina Department of Health and Environmental Control, Lexington County Emergency Services, and/or the International Fire Code (IFC);~~
- ~~b. Detailed site plan of the hazardous materials handling activity showing all of the property on which it is to be located and the relationship with all surrounding property. This plan must show the buffering restrictions being proposed to insure that the activity is totally compatible with the surrounding area;~~
- ~~c. Detailed safety and emergency response plan including those elements required by the Title III: Emergency Planning and Community Right to Know Act of the Superfund Amendments and Reauthorization Act of 1986 (SARA);~~

- ~~d. Evidence of liability insurance coverage that would reasonably be expected of the hazardous material handling activity, based on the typical insurance coverage of a hazardous materials handler with similar risk;~~
- ~~e. Names of any owners, investors, employees, or subcontractors who will be responsible for operational decision making for a Lexington County hazardous material activity site, to include plant design and daily operations, who have been convicted of a criminal violation regarding the handling of hazardous materials or have demonstrated a pattern of negligence in the handling of hazardous materials;~~
- ~~f. For the purpose of providing independent additional and/or clarification of information to the Board regarding the desired hazardous material handling activity, the applicant may submit names of recognized independent experts or any additional information the applicant deems necessary to support his application; and~~
- ~~g. The County shall have the option of having its own independent expert review the materials submitted by the applicant and offer an opinion as to the adequacy of the materials to the Board of Zoning Appeals.~~

32.20 Buffering Restrictions

Hazardous materials handling activities must first meet all of the restrictions and standards as required by this Ordinance for the appropriate principal activity classification. Any special exception approval by the Board of Zoning Appeals for the handling of hazardous materials must include a plan for the minimum additional buffering restrictions if necessary for the responsible operation of that particular activity.

32.30 Operational Requirements

- ~~32.31 All hazardous materials handling activities are required to comply with all of the applicable sections of the International Fire Code (IFC).~~
- ~~32.32 All hazardous materials handling activities are required to comply with all of the applicable sections of Title III: Emergency Planning and Community Right to Know Act of the Superfund Amendments and Reauthorization Act of 1986 (SARA).~~
- ~~32.33 Hazardous materials handling activities are not allowed to operate without annual proof of liability insurance coverage.~~

ARTICLE 5 – NEIGHBORHOOD APPEARANCE DISTRICT

Chapter 1. General Provisions

51.10 Residential Standards

All parcels that contain a residential activity, such as residential detached, residential attached or mobile home, to include accessory structures, or parcels that are considered developable lots and which are located within a platted residential subdivision with at least 10 residential lots and where the average residential lot sizes do not exceed 1-acre in area, shall comply with the following standards:

- (e) *Domestic Chickens, Fowl, and/or Livestock* – No more than four (4) domestic chickens **and/or fowl** are allowed per residential lot at one time, excluding roosters, which are prohibited. Domestic chickens **and/or fowl** cannot free roam or be located under the residential structure (i.e., crawl space), must be located within a rear yard, and contained within a designated fenced area, pen, or coop area. Coops shall meet all applicable accessory structure setbacks and all applicable Building Code requirements. **Livestock, to include, but not limited to, cows, horses, goats, swine, alpaca, llama, sheep, and goats are prohibited. Certified and/or pedigreed miniature livestock shall be exempt from these provisions, provided proof the miniature livestock is registered by an authorized pedigree service (i.e., Miniature Potbellied Pig Registry Service, Inc. or MPPRSI).** All waste, odors, and pests associated with domestic chickens must

be managed, such as not to create a nuisance for neighboring properties. The slaughtering of domestic chickens, **fowl, or livestock** is prohibited. Domestic chickens, **fowl, and/or livestock** used for commercial purposes, such as the sale of **eggs products**; raising of **chicks, young**; and/or sale for meat products must conform to all applicable requirements for Agricultural Operations, as well as state and federal law. Nothing in this Section shall preclude the enforcement of Lexington County Ordinance, Chapter 26, Article II, Noise, in which any excessive noise may be addressed by the Lexington County Sheriff's Department.

51.40 Exemptions

These provisions do not apply to vacant and/or unimproved properties, wetlands, conservation easements, forests, pasture land, open fields, grassed areas and/or open space utilized for recreation (ex., golf courses, athletic fields, passive trails), floodplains and floodways, stormwater management devices, naturally vegetated buffers required by Lexington County, vegetated areas along water bodies (ex. streams, rivers, ponds, or lakes), stables or barns, and/or agricultural operations, unless otherwise stated within these regulations. **In the event certain portions of this Article are protected by Federal or State Statute, such laws shall supersede these regulations.**

ARTICLE 8 – MINING OPERATIONS

Chapter 1. General Provisions

81.20 Definitions

Mining includes the extraction or removal of minerals for sale, processing, or consumption even if the mining activity is not required to obtain a mining permit from the South Carolina Department of Health and Environmental Control (SCDHEC). It does not include grading, backfilling, plowing, or excavating areas for agriculture or on-site construction, nor does it include exploratory mining as defined by the SCDHEC. Borrow pits owned, operated, and/or managed by the South Carolina Department of Transportation (SCDOT) or the County of Lexington exclusively for road or infrastructure construction do not constitute a mining activity by this Ordinance; however, the extraction or removal of minerals from such borrow pits for the purposes not directly associated with SCDOT or County roadway project, will require the use to meet all applicable requirements for mining operations.

Mining (Limited) includes all mining operations where the mining area does not exceed 5 acres. This activity category does not permit on-site mineral processing, including but not limited to, milling, crushing, screening, washing, flotation, or refining. This activity category does not include chemical leaching of minerals, hard rock quarrying, or blasting.

Mining (Intermediate) includes all mining operations where the mining area does not exceed 25 acres. This category ~~permits~~ **does not include the** on-site mineral processing, chemical leaching of minerals, hard rock quarrying, or blasting, ~~provided that the blasting or chemical leaching of minerals meets the buffering restrictions of the Mining (Extensive) category.~~

Mining (Extensive) includes all other mining activities not included within the definition of Mining (Limited) or Mining (Intermediate), **to include all mining activities that have on-site mineral processing, utilize chemical leaching of minerals, utilize hard rocky quarrying, and/or blasting, regardless of acreage.** ~~This activity category permits on-site mineral processing, chemical leaching, and blasting.~~

81.40 Special Exception Review

81.41 A request for a permit for a ~~mining operation~~ **Mining (Extensive) land use** will require special exception approval from the Board of Zoning Appeals. The basis for such approval is a demonstration by the applicant that the owner/operator can manage and operate the mining operation in a manner that addresses the varying conditions and circumstances associated with such land use activities. It will be the responsibility of the applicant to make evident to the Board that the following criteria can be met:

- a. The applicant must demonstrate the day-to-day operations of the mining operation and the ability to manage the various tasks associated with the land use;

- b. As demonstration that the mining operation will be harmonious with the surrounding properties and the appropriate buffering restrictions, general requirements, performance standards, landscape and/or vegetation requirements, and County Council approval of the access plan, if applicable;
- c. As evidence that the applicant has obtained all other local, state, and/or federal permits to operate such activity, if applicable; and
- d. For the protection of the surrounding environment, a response plan to address environmental or public safety related incidents.

Chapter 2. Mining Regulations

82.20 Buffering Restrictions

Each Mining Operation shall adhere to the Buffering Restrictions covering height regulations, buffers, setbacks, and screening as outlined in Chapter 3 of Article 2, except where more restrictive regulations exist in this Article or elsewhere in this Ordinance. Where an existing residence is located less than 500 feet from the property line of a Mining (Extensive) land use activity the required buffering restrictions shall be doubled. Where an existing residence is located between 500 and 1000 feet from the property line of a mining activity, the required buffering restrictions shall be 1 ½ times the published requisites.

82.23 Screening

1. In all Districts all of the mining activity shall be screened from any neighboring property in accordance with the Chart of Maximum Buffering Restrictions of Section 23.60. This shall include, but is not limited to, buildings, structures, stockpiles, overburden storage areas, berms used for noise containment, etc.
2. All Mining Operations must use natural or landscaped vegetation for screening and/or landscaped and/or vegetated berms. Berms shall be a minimum of eight (8) feet in overall height, but in all instances tall enough to provide the required total screening, with topography being taken into consideration. The berm shall be landscaped and/or naturally vegetated by 75 percent using an approved combination of canopy and understory trees, which 50 percent must be evergreen species. The landscaping requirements must conform to minimum planting standards and diversity as regulated within the Lexington County Landscape and Open Space Ordinance. The screening requirements do not exclude the use of fencing for safety reasons. Existing natural vegetation shall be left undisturbed in the buffer areas located in all Districts. In the portion of the setback areas beyond the required buffer areas, existing natural vegetation shall also be left undisturbed with the single exception of grading in this area that is necessary to implement the best Noise Containment Plan as required in Section 82.60. However, this exception is allowed only if the vegetative screening requirements of this section can be met.
3. ~~Additional vegetation must be added and existing vegetation altered as necessary to meet the screening requirements and shall be planted in a random manner to replicate natural forest conditions.~~ The vegetation used must include sufficient quantities that are evergreen, drought-tolerant, and disease resistant to ensure that the screening requirements of the Ordinance are met during all seasons of the year.
4. Total road frontage screening is required in all Districts, and the entrance shall be designed such that none of the mining activity shall be visible from the road.

82.30 Access Plan

Any new ~~intermediate or~~ extensive mining operation, or expansion of an existing – extensive mining operation creating a new access, shall submit a proposed Access Plan and must receive approval of a Plan from the Lexington County Council. This Plan shall show the anticipated routing of all truck traffic in compliance with this chapter as well as Section 22.02, Chart of Permitted Access by Street Classification. However, an alternate Plan that may not comply with all of these regulations may also be submitted if it is considered to have less of a traffic impact on the roads accessing the mining operation. Mining (Intermediate) and Mining (Extensive) activities are only allowed access by roads that are paved. Internal access for individual mining operations where parcels are separated by roadways do not require Access

Plan approval, provided the point of access is not a main access for external truck traffic and the street classification and road conditions allow such access.

Any roads or bridges to be utilized must be capable of handling the additional traffic and weight loads of the mining activity. The entity responsible for the maintenance of such facilities will be asked to review the condition of any roads and bridges contained in the Access Plan and report that information along with recommendations to the Lexington County Council. This may be the South Carolina Department of Transportation, the Lexington County Department of Public Works, or a municipality.

The Lexington County Council will review the Access Plan(s) and reports from the maintenance entities and may require a different Plan using any roads available if it will lessen the impact of truck traffic in the immediate area.

ARTICLE 16 – NONCONFORMITY

Chapter 3. Nonconforming Signs

163.00 General Provisions

163.12 Advertising Signs

All advertising signs which are nonconforming shall be allowed to remain as installed in their existing location as long as they comply with the provisions contained in Section 26.10. Nonconforming advertising signs converting from static display will be allowed structural improvements and/or display replacement, provided the digital display meets the requirements of Section 26.66 Digital Technology and the display area and the degree of nonconformity are not increased.

In the event an existing advertising sign must be removed due to roadway projects and/or right-of-way acquisition, affected advertising signs may be relocated within 500 feet of the current site, per State Statute 57-25-190 (E) as amended. Applicants shall provide documentation of the necessity to relocate, along information relating to the new location, size, and measurements.

Signs using digital technology as regulated in Section 26.66 shall be brought into compliance with these regulations within 90 days.

COUNTY OF LEXINGTON ZONING ORDINANCE

NOW THEREFORE BE, it ordained by the Lexington County Council as follows:

Provisions in any other County Ordinance in conflict with this ordinance are hereby repealed. This Ordinance shall be effective upon its enactment.

Enacted this _____ day of _____, 2023.

LEXINGTON COUNTY, SOUTH CAROLINA

Beth A. Carrigg
Chairwoman, County Council

{SEAL}

ATTEST:

Brittany M. Shumpert, Council Clerk

First Reading: February 14, 2023

Public Hearing: March 14, 2023

Planning Commission Review: [March 16, 2023]

Second Reading: [April 11, 2023]

Third & Final Reading: [April 25, 2023]

Filed w/ Clerk of Court: _____